



Arnold Schwarzenegger, Governor
State of California
Business, Transportation and Housing Agency
Department of Managed Health Care
Office of Legal Services

980 Ninth Street, Suite 500
Sacramento, CA 95814-2725
916-322-6727 – Phone
916-322-3968 – Fax
www.dmhca.gov

ACTION: Third Amended Notice of Rulemaking Action
Title 28, California Code of Regulations

SUBJECT: Scheduling Third Public Hearing for Definition of Unfair Billing Patterns;
Adopting Section 1300.71.39 in Title 28, California Code of Regulations; Control
No. 2008-1536.

PUBLIC PROCEEDINGS: Pursuant to Government Code section 11346.8(a), the Department of Managed Health Care (Department) has scheduled a third public hearing regarding the above-referenced proposed rulemaking action.

PUBLIC HEARINGS:

As previously noticed, the first public hearing has been scheduled as follows:

**May 14, 2008
10:30 a.m.
Irvine Marriott
18000 Von Karman Avenue
Irvine, CA 92612
Facility Contact: Wendy Schuck, Sales Manager (949) 553-0100**

As previously noticed, the second public hearing has been scheduled as follows:

**May 19, 2008
10:00 a.m.
Marriott San Diego Mission Valley
8757 Rio San Diego Drive
San Diego, CA 92108
Facility Contact: Natosha Beck (619) 209-6634**

The third public hearing is scheduled as follows:

**May 20, 2008
10:00 a.m.
Radisson Hotel
500 Leisure Lane
Sacramento, CA 95815
Facility Contact: Radisson Staff (916) 922-2020**

The purpose of these public hearings is to solicit and receive public comments regarding the above-referenced proposed rulemaking action. Any interested person, or his or her duly

Third Amended Notice of Rulemaking Action

May 9, 2008

Page 2 of 3

authorized representative, may attend one or more of the hearings and submit written or oral comments relevant to the proposed rulemaking action. Oral comments received during the public hearings should be limited to the subject of the proposed rulemaking action and no more than five (5) minutes in length. The Department's written response to all comments submitted during the public hearings will be made available on a date following the hearings.

The public hearings will adjourn after all verbal comments have been heard, or at 5:00 p.m., whichever occurs sooner. The agendas for the public hearings are available on the Department's website under the "Upcoming Meetings" section at www.dmhc.ca.gov.

WRITTEN COMMENT PERIOD: The scheduling of this third public hearing does not change the written comment period for this rulemaking action. The written comment period for the above referenced rulemaking action will close at 5:00 p.m. on Tuesday, May 20, 2008. Any interested person, or his or her authorized representative, may submit written statements, arguments or contentions (hereafter referred to as comments) relevant to the proposed regulatory action by the Department. Comments must be received by the Department of Managed Health Care, Office of Legal Services, by 5 p.m. on Tuesday, May 20, 2008, which is hereby designated as the close of the written comment period.

Comments may be transmitted by regular mail, FAX, email, or via the Department's website:

Website: <http://wpso.dmhc.ca.gov/regulations/>
Email: regulations@dmhc.ca.gov
Mail: Office of Legal Services
Department of Managed Health Care
Attn: Regulations Coordinator
980 9th Street, Suite 500
Sacramento, CA 95814
Fax: (916) 322-3968

Please note -- if comments are sent via the website, email or fax, there is no need to send the same comments by mail delivery. All comments should include the author's name and U.S. Postal Service mailing address in order for the Department to provide copies of any notices for proposed changes in the regulation text on which additional comments may be solicited. Additional information regarding this rulemaking action is provided in the Notice of Rulemaking Action, which is posted on the Department's website at <http://wpso.dmhc.ca.gov/regulations/#1>.

Inquiries concerning this proposed rulemaking action may be directed to:

Rick Martin
Deputy Director, Financial Solvency Standards Board
Office of the Director
Department of Managed Health Care
980 9th Street, Suite 500
Sacramento, CA 95814
(916) 322-1583
rmartin@dmhc.ca.gov

Emilie Alvarez
Regulations Coordinator
Office of Legal Services
Department of Managed Health Care
980 9th Street, Suite 500
Sacramento, CA 95814
(916) 322-6727
ealvarez@dmhc.ca.gov

Third Amended Notice of Rulemaking Action

May 9, 2008

Page 3 of 3

CONTACTS: In your comments or inquiries, please use the Department's regulation title and control number, **Definition of Unfair Billing Patterns; Control #2008-1536**.

REASONABLE ACCOMMODATIONS:

Reasonable accommodations for persons with disabilities are available upon request. Please submit your request for reasonable accommodations at least seven (7) days in advance. The Department will attempt to accommodate late requests to the extent possible. You may submit your request via email to Emilie Alvarez, Regulations Coordinator, at ealvarez@dmhc.ca.gov. You may contact California Relay Service for the deaf or hearing impaired: 1-800-735-2929 (TTY) or 1-800-735-2922 (Voice).